

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

---

PATRICK TRACY,

Plaintiff,

v.

5:01-CV-0500 (HGM /GHL)

PARKER J. FRESHWATER, TOMPKINS  
COUNTY, Tompkins County Sheriff's Department;  
PETER MESKILL, Tompkins County Sheriff,

Defendants,

---

APPEARANCES:

PATRICK TRACY  
06499-028  
Plaintiff *pro se*  
Federal Prison Camp  
P.O. Box 12014  
Terre Haute, IN 47801

HON. JONATHAN WOOD  
County Attorney, Tompkins County  
Counsel for Defendants  
125 East Court Street  
Tompkins Office Building  
Ithaca, NY 14850

HOWARD G. MUNSON, SR. J.

**ORDER**

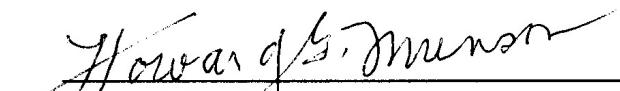
The above matter comes to me following a Report-Recommendation by Magistrate Judge George H. Lowe, duly filed on July 11, 2007. The Clerk has sent to me the entire file of this case, including all objections filed by the Plaintiff herein.

After careful review of all the papers, including the Magistrate Judge's Report - Recommendation, and the objections thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby approved and adopted.
2. The Defendants' motion for summary judgment made pursuant to Rule 56 of the Federal Rules of Procedure, filed April 22, 2004, (see both Dkt. Nos. 57 and 58), is **GRANTED**, the complaint is dismissed in its entirety, and the Clerk is directed to enter judgment in favor of the defendants.

Dated: July 31, 2007  
Syracuse, New York



Howard G. Munson  
Senior U.S. District Judge